

NORTH SALT LAKE CITY  
PLANNING COMMISSION MEETING  
OCTOBER 13, 2015

**FINAL**

Chairman Robert Drinkall called the meeting to order at 6:29 p.m. and welcomed those present.

PRESENT: Commission Chairman Robert Drinkall  
Commissioner Kim Jensen  
Commissioner Ted Knowlton  
Commissioner Kent Kirkham  
Commissioner Stephen Garn  
Council Member Ryan Mumford

EXCUSED: Council Lisa Watts Baskin

STAFF PRESENT: Ken Leetham, Assistant City Manager and Community and Economic Development Director; Paul Ottoson, Public Works Director and City Engineer; Sherrie Christensen, Senior City Planner; Andrea Bradford, Minutes Secretary.

OTHERS PRESENT: Spencer Ward, Tom Stuart Construction; Paul Heywood, Maverik, Inc.; Luke Jordan, Famous Appliance; Steve Israelsen, Wilford Cannon, Eaglewood Development.

1. PUBLIC COMMENTS

There were no public comments.

Commissioner Drinkall commented that the agenda would be adjusted so that the public hearing for amendments to the City's Land Use Ordinance concerning geologic hazards would be held last.

2. CONSIDERATION OF A PROPOSED SITE PLAN AMENDMENT FOR MAVERIK, INC., ADDITION TO THE EXISTING FUEL ISLAND AND CONSTRUCTION OF A SECOND FUEL ISLAND, PARKING, AND LANDSCAPING LOCATED AT 880 WEST CENTER STREET. JIM CHILD, APPLICANT  
NATE REEVE, REEVE AND ASSOCIATES, CONSULTANT

Sherrie Christensen reported this Maverik is located at 880 West Center Street in the General Commercial (CG) Zone and has an entrance off of Redwood Road. The applicant is proposing to

extend the existing canopy and install two additional gasoline pumps. They are also proposing a new gas island and canopy for three additional gasoline pumps. The existing entrance onto Redwood Road would be moved approximately forty feet to the north.

The Development Review Committee (DRC) recommends approval with the condition that prior to placing any additional signage on the canopies the applicant must submit an application for a sign permit.

The business meets the off street parking requirements, is relocating a fire hydrant and additional emergency shut off valve, and does not require additional ground storage. The applicant is working with UDOT on the approval for moving the Redwood Road access. Landscaping will be improved in conformance with the new ordinance and exceeds the minimum 10% requirement. There are some islands in the parking lot, which do not meet the current standard, that will be widened and additional landscaping will be added. A photometric plan has been submitted for new lighting which complies with the City ordinance. Per the architectural review this would be considered an accessory structure and will be constructed of metal.

Commissioner Drinkall asked if there was an update on the UDOT approval for the Redwood Road entrance. Paul Heywood, Maverick, Inc., replied that they had received the online permit today and now needed to post the bond as the approval process was mostly complete.

Commissioner Drinkall asked if the signage would affect the clear view for the new Redwood Road entrance. Paul Heywood, Maverick, Inc. commented that he did not believe it would as the bottom of the sign is approximately 13' high.

Sherrie Christensen commented that the applicant will also be adding street trees along Redwood Road per City requirements.

**Commissioner Knowlton moved that the Planning Commission approve the site plan amendment for Maverik Convenience Store and Gas Station, with the following findings and subject to the attached conditions:**

**Findings:**

- 1. The existing gas station is approved use in the CG Zone;**
- 2. Sufficient parking is being maintained for proposed use; and**

**3. The proposed use meets all requirements of the development code.**

**Conditions:**

- 1. Prior to placing any new signage the applicant must submit application for a sign permit.**

**Commissioner Garn seconded the motion. The motion was approved by Commissioners Jensen, Drinkall, Knowlton, Garn, Kirkham and Council Member Mumford.**

**Commissioner Baskin was excused.**

3. CONSIDERATION OF A PROPOSED CONDITIONAL USE PERMIT FOR FAMOUS APPLIANCE AN APPLIANCE REPAIR, AIR CONDITIONING, AND HEATING SERVICE CONTRACTOR LOCATED AT 501 WEST 900 NORTH. LUKE JORDAN, APPLICANT

Sherrie Christensen reported that the property is located in the Manufacturing Distribution (MD) Zone. The site has approximately 37 existing parking stalls and additional parking stalls could be provided at the rear of the building to meet the 42 required stalls including two ADA. However City staff believes that the existing 37 spaces would be sufficient for customer parking and the ten service trucks which will be stored on site. The landscaping on site exceeds the minimum 10% requirement and has been well maintained. City staff has no concerns relating to traffic, circulation, health, safety or noise.

Luke Jordan, Famous Appliance, commented that this has been a long process as the building was involved in the helicopter crash the day before he closed on the purchase. He said the business is moving to the City from Midvale as they need more space.

**Commissioner Garn moved that the Planning Commission approve the proposed conditional use permit for Famous Appliance Service at 501 West 900 North with the following findings and conditions:**

**Findings:**

- 1. Appliance Repair is listed as a conditional use in the MD Zone;**
- 2. Sufficient parking with the existing 37 spaces is provided for the use;**
- 3. The proposed use meets all requirements of the development code.**

**Conditions:**

- 1. Prior to placing any signage on the building applicant must submit application for a sign permit.**

**Commissioner Jensen seconded the motion. The motion was approved by Commissioners Jensen, Drinkall, Kirkham, Garn, Knowlton and Council Member Mumford. Commissioner Baskin was excused.**

4. CONSIDERATION OF A PROPOSED SITE PLAN FOR TEAM INDUSTRIAL, AN INDUSTRIAL TESTING LAB LOCATED AT 870 WEST NORTHPOINTE CIRCLE. SPENCER WARD, TOM STUART CONSTRUCTION, CONTRACTOR

Sherrie Christensen reported that this parcel is zoned General Commercial (CG) and is surrounded by MD zoning. The DRC recommends approval of the site plan with the following conditions that the address is correctly noted on the plans as 870 West Northpointe Circle, elimination of one parking spot and addition of landscaped island, increased width of landscaped island, provide detail of xeriscape landscaping, provide lighting plan and add parapet variation every 60' on the west and east elevations.

Sherrie Christensen explained that the applicant is relocating from another site in the City located at 479 West 900 North, which they have outgrown, and are an industrial contractor that deals with maintenance, inspection, testing and construction of mechanical and piping systems. This building will warehouse supplies for field operations and a maximum of 20 office support staff. There will be approximately two van deliveries/shipments twice per week. The facility will house radioactive material related to x-ray equipment to be stored in a safe storage room with 10" concrete walls that meet the requirements by Homeland Security. The site will be secured with a six foot high chain-link fence.

The total site is 49,800 square feet and the required 10% landscaping has been met. The landscaped island must be added to the end of the west row of parking and the island on the southeast must be increased to 9' wide. These landscaped islands will require a minimum of one tree.

The building meets all of the requirements of the architectural review except for the parapet variation every 60 linear feet on the west and east elevations.

Commissioner Knowlton commented parking requirements may be too high and asked that the City Council and staff take that into consideration.

Commissioner Drinkall asked if the fence was located on the edge of the property line. Sherrie Christensen replied that the unique aspect of this property is that there is a shared cross easement access which must remain open. The rear property line has a solid fence and gate and no outdoor storage or other site obscuring fencing will be installed.

Commissioner Drinkall asked the applicant if there were any issues to making the changes and adding the parapet. Spencer Ward, Tom Stuart Construction, replied that they do not feel the parapet is necessary and after reviewing the roof height and drive aisles with the fire department it would be better not to have any parapets. He said that they are willing to do what it takes to be in compliance but that they believe they have presented the most favorable design.

The commissioners discussed options to eliminate the need for the parapet including moving the placement of the building on site, reduction in building size and eliminating landscaping but the applicant stated that they would like to keep the placement of the building the way it has been rendered on the plans and that they did not want the additional cost of making changes to the building.

Ken Leetham commented that the Planning Commission and City staff evaluate every new development against code requirements and that the applicant has proposed a project which does not conform to code in a few small ways. He recommended that the site plan be tabled until there is a conforming site plan or that the Planning Commission approves the application with the condition that the site plan conforms.

Commissioner Knowlton commented that some cities have the ability to provide a 10% variance. Ken Leetham replied that in some instances that would be true but unfortunately not for this application due to the fire code requirements.

**Commissioner Knowlton moved that the Planning Commission approve the site plan amendment for Team Industrial at 870 West Northpointe Circle, with the following findings and subject to the attached conditions:**

**Findings:**

- 1. The proposed use of industrial testing lab & services is an approved use in the CG Zone;**
- 2. Sufficient parking is being provided for proposed use; and**
- 3. The proposed use meets all requirements of the development code.**

**Conditions:**

- 1. Correctly note the address as 870 West Northpointe Circle;**
- 2. Eliminate one parking spot on west property line, to make way for the addition of landscaped 9'x18" island with one tree;**
- 3. Increase width of landscaped island on south/east parking to 9', with one tree;**
- 4. Provide detail of xeriscape landscape on west and east property lines;**

5. **Provide a lighting plan demonstrating security and that lighting is contained on the site;**
6. **Add a parapet variation every 60 feet on the west and east elevations.**

**Commissioner Garn seconded the motion. The motion was approved by Commissioners Jensen, Drinkall, Kirkham, Garn, Knowlton and Council Member Mumford. Commissioner Baskin was excused.**

4. PUBLIC HEARING-CONSIDERATION OF AMENDMENTS TO THE CITY'S LAND USE ORDINANCE, CHAPTER 12, SENSITIVE AREA DISTRICT CONCERNING GEOLOGIC HAZARDS

Ken Leetham reported on the changes from the last Planning Commission meeting which was held on September 29<sup>th</sup>. These changes have come from input from the City's geotechnical consultant, Geostrata, feedback from the development community and the Planning Commission. Changes include making the sensitive lands district compatible with City code, the definition of slope stability from "landslide to "down slope movement", minimum qualifications for experts changed from "five years" to "experienced", requirement of qualified professional(s) on site during construction, moving paragraphs to areas where they make more sense, grammatical and small wording changes, preserving location of public utility easements in new subdivision plats, not allowing fill slopes near property lines, changes to restrictions with properties that have 30% slopes including adding easements, identifying responsible party for lot once subdivision is completed in regards to erosion and drainage, drainage plan at subdivision level, individual lots being graded towards the street for drainage, reference to a study on seismic slope stability and a paragraph on the requirement of piezometer.

**Commissioner Drinkall opened the public hearing at 7:33 p.m.**

Tom Durrant, Parkway Drive, expressed appreciation for the desire of the City to keep residents safe and the changes that will be implemented. He said he builds custom homes in the foothills and appreciates that the ownership of the steeper slopes would remain in the hands of the landowner as this would increase the appeal and preserve the feel of those larger properties. He expressed concern with encroachment onto private or City property and said it would be difficult for an HOA to enforce that and that it should be the responsibility of the City.

Wilford Cannon, Eaglewood Development, thanked the Planning Commission and City staff for the objective of making things better. He said he is always opposed to increased ordinances but he appreciates the time spent and that while these changes are not easy they are fair.



Commissioner Drinkall thanked the developers for their efforts and comments.

Scott Kjar, Eaglepointe Development, said that he appreciates the opportunity to have his engineers go through the draft and share their input which helped to create a document that reflects best practices. He said they have a great interest in having a quality development with safety issues resolved.

**Commissioner Drinkall closed the public hearing at 7:41 p.m.**

Commissioner Drinkall asked City staff how they blended current and proposed ordinances and if some of the participants in the draft received more of their request than others. Ken Leetham replied that from the City's standpoint this was a rushed process but that the City has been transparent and everyone was able to share and contribute in a fair manner. He then said the ordinance is set for adoption by the City Council on October 20<sup>th</sup>.

Commissioner Drinkall asked if there were any additional changes the Planning Commission would like to make.

Commissioner Jensen and Ken Leetham commended City staff, specifically Sherrie Christensen, for the way the draft was put together and the amount of research it had taken.

**Commissioner Knowlton moved to recommend to the City Council approval of Chapter 12 of the ordinance Sensitive Area District concerning geologic hazards as amended.**

**Commissioner Jensen seconded the motion. The motion was approved by Commissioners Jensen, Drinkall, Kirkham, Garn, Knowlton and Council Member Mumford.**

**Commissioner Baskin was excused.**

## 5. APPROVAL OF MINUTES

The Planning Commission meeting minutes of September 22, 2015 were reviewed and approved.

**Commissioner Kirkham moved to approve the minutes of the Planning Commission meeting of September 22nd. Commissioner Garn seconded the motion. The motion was approved by Commissioners Jensen, Drinkall, Kirkham, Garn, Knowlton and Council Member Mumford. Commissioner Baskin was excused.**

6. ADJOURN

Chairman Drinkall adjourned the meeting at 7:49 p.m.



Chairman



Secretary